

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interviews with David Weiss on August 25, 2011 and August 26, 2011.

The application has been amended as follows:

In the claims

**CLAIM 1 (Currently amended)** An article processing system, including hardware configured to execute modules, comprising:

a memory and

a processor;

a database that stores article identification information and article location information for a plurality of articles;

a first module that determines at least a shipment date when a pending user order is to be shipped, wherein the pending order was placed via a computer network during a first network session;

a second module that, based at least in part on information retrieved from the database, identifies at least a first article that can be added to the pending order within a first amount of time without delaying the shipment date of the pending order; and

a third module that causes a notification to be presented to the user, wherein the notification indicates that the user can add at least the first article to the pending order without delaying the pending order shipment.

wherein the notification includes a link, wherein if the user activates the link after the first amount of time, the user is provided a message indicating that the first amount time to add articles to the pending order has expired.

**CLAIM 5 (Cancelled)**

**CLAIM 8 (Currently amended)** ~~The article processing system as defined in Claim 1~~

An article processing system, including hardware configured to execute modules, comprising:

a memory and

a processor;

a database that stores article identification information and article location information for a plurality of articles;

a first module that determines at least a shipment date when a pending user order is to be shipped, wherein the pending order was placed via a computer network during a first network session;

a second module that, based at least in part on information retrieved from the database, identifies at least a first article that can be added to the pending order within a first amount of time without delaying the shipment date of the pending order; and

a third module that causes a notification to be presented to the user, wherein the notification indicates that the user can add at least the first article to the pending order without delaying the pending order shipment.

wherein the location information is used by the second module to determine how long it would take to transport the first article from a storage area to a packing area.

**CLAIM 11 (Currently amended)** The article processing system as defined in Claim 1, wherein the first article is identified based in part on the a quantity of the

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first article in inventory in an order fulfillment center from which at least one article in the pending order is to be shipped.

**CLAIM 50 (Currently amended)** An article order processing apparatus stored on a computer readable medium, the article order processing apparatus comprising instructions configured to be executed by a computing device in order to perform the method of:

identifying a shipment date when a pending user order is to be shipped;

based at least in part on information retrieved from a database that stores article identification information and article location information for a plurality of articles, identifying a first article that can be added to the pending order without delaying the shipment date of the pending order; and

providing a notification for the user that indicates that the user can add the first article to the pending order without delaying the pending order shipment date,

wherein the notification includes a link, wherein if the user activates the link after a first amount of time, the user is provided a message indicating that the first amount time to add articles to the pending order has expired.

**CLAIM 54 (Cancelled)**

**CLAIM 57 (Currently amended)** ~~The article order processing apparatus as defined in Claim 50,~~

An article order processing apparatus stored on a computer readable medium, the article order processing apparatus comprising instructions configured to be executed by a computing device in order to perform the method of:

identifying a shipment date when a pending user order is to be shipped;

based at least in part on information retrieved from a database that stores article identification information and article location information for a plurality of articles, identifying a first article that can be added to the pending order without delaying the shipment date of the pending order; and

providing a notification for the user that indicates that the user can add the first article to the pending order without delaying the pending order shipment date.

wherein the location information is used by the apparatus to determine how long it would take to transport the first article from a storage area to a packing area.

**CLAIM 60 (Currently amended)** The article order processing apparatus as defined in Claim 50, wherein the first article is identified based in part on ~~the~~ a quantity of the first article in inventory in an order fulfillment center from which at least one article in the pending order is to be shipped.

***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance:

The claims are allowed based on the reasons stated in the BOARD OF PATENT APPEALS AND INTERFERENCES decision dated 05/11/2011, namely the failure of the cited references to teach the recitations of claim 5, 8, 54 and 57.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TONYA JOSEPH whose telephone number is (571)270-1361. The examiner can normally be reached on Mon-Fri, 7:30 am-5:00pm First Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571 272 6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628